

**UNITED STATE DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**ANTHONY DERUBEIS &
MACLYN BURNS,**

Plaintiff,

V.

**WITTEN TECHNOLOGIES, INC.,
Defendant.**

CIVIL ACTION
1:04-CV-11137-RWZ

**MENARD, MURPHY & WALSH LLP'S NOTICE OF ITS
WITHDRAWAL OF APPEARANCE ON BEHALF OF PLAINTIFFS**

Pursuant to Local Rule 83.5.2(c), Daniel M. Rabinovitz and the firm of Menard, Murphy & Walsh, LLP hereby withdraws its appearance as counsel for Plaintiffs, Maclyn Burns and Anthony DeRubeis (“Plaintiffs”). In support of its Notice of Withdrawal, Menard, Murphy & Walsh, LLP states:

- (1) This case has been transferred to the Northern District of Georgia.
- (2) Plaintiffs have retained new counsel in this case. New counsel is Paul Kim of Lord Bissell & Brook in Atlanta, Georgia who has filed his appearance on behalf of Plaintiffs.
- (3) There are no substantive motions pending before the Court.
- (4) No trial date has been set in the case.
- (5) There are no hearings or conferences scheduled, and no reports, oral or written are due.

Wherefore, Menard, Murphy & Walsh, LLP respectfully requests that the Court enter and docket its withdrawal of its appearance in this matter.

Respectfully submitted,

Anthony Derubeis and
Maclyn Burns,

By their attorneys,

/s/ Daniel M. Rabinovitz

Daniel M. Rabinovitz, BBO No. 558419
Menard, Murphy & Walsh LLP
60 State Street - 34th Floor
Boston, Massachusetts 02109
(617) 832-2500

Dated: April 13, 2006

CERTIFICATE OF SERVICE

I, Daniel M. Rabinovitz, hereby certify that on this 13th day of April 2006, I caused a copy of this Notice of Withdraw Of Appearance on behalf of Plaintiffs to be served by first-class mail, postage prepaid, addressed to Erin G. Lewis, Esq. Witten Technologies, Inc., 3638 Overlook Avenue, Macon, Georgia 31204, and served on Maclyn Burns and Anthony DeRubeis via e-mail and first-class mail, and served on successor counsel Paul Kim of Lord, Bissel and Brook in Atlanta Georgia, and filed electronically on April 13, 2006.

/s/ Daniel M. Rabinovitz

Daniel M. Rabinovitz

